

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
ASHVILLE DIVISION
No. 1:24-CV-00056

ADDIE G. MORGAN III,

Plaintiff,

v.

MARTIN O'MALLEY, Commissioner
of Social Security Administration,

Defendant.

ORDER

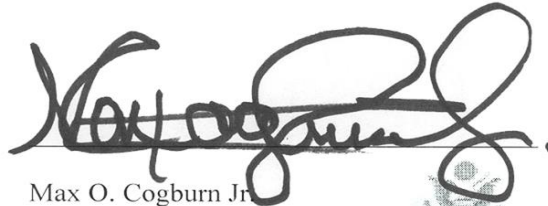
THIS MATTER comes before the Court on Plaintiff's Consent Motion for Attorney Fees pursuant to the Equal Access to Justice Act ("EAJA"), 28 U.S.C. § 2412 and supporting exhibits. (Doc. No. 11). Plaintiff indicates that Defendant has consented to this Motion, and Defendant has not objected to the requested fees. (Id.). Having reviewed the Motion, supporting exhibits, and the case file, the Court will grant Plaintiff's motion.

IT IS, THEREFORE, ORDERED that Plaintiff's Motion for Attorney Fees, (Doc. No. 11) is **GRANTED**. The Court will award attorney fees in the amount of \$3,200.00, and pursuant to Astrue v. Ratliff, 560 U.S. 586 (2010), the fee award will first be subject to offset of any debt Plaintiff may owe to the United States. The Commissioner will determine whether Plaintiff owes a debt to the United States. If so, that debt will be satisfied first, and if any funds remain, they will be made payable to Plaintiff and mailed to Plaintiff's counsel. If the United States Department of the Treasury reports to the Commissioner that the Plaintiff does not owe any debt, the Government will exercise its discretion and honor an assignment of EAJA fees and pay those

fees directly to the Plaintiff's counsel. No additional petition pursuant to 28 U.S.C. § 2412(d) shall be filed.

SO ORDERED.

Signed: August 7, 2024



Max O. Cogburn Jr.
United States District Judge